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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/815,863	04/02/2004	Te-Hsiang Fang	BHT-3092-422	9875
7590 09/07/2005				
BRUCE H. TROXELL SUITE 1404 5205 LEESBURG PIKE FALLS CHURCH, VA 22041		EXAMINER DZIERZYNSKI, EVAN P		
		ART UNIT PAPER NUMBER 2875		

DATE MAILED: 09/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/815,863	FANG, TE-HSIANG	
	Examiner	Art Unit	
	Evan Dzierzynski	2875	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 4/2/2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final. --
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 April 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Drawings

The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description: reference number 3. In addition, the parts of figure 3 should be labeled so as to show the arrangement described at the end of page 3 in the specifications. Corrected drawing sheets in compliance with 37 CFR 1.121(d), or amendment to the specification to add the reference character(s) in the description in compliance with 37 CFR 1.121(b) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Objections

Claims 5, 6, 11, and 12 are objected to under 37 CFR 1.75(c), for failing to further limit the subject matter of the base claims 2 and 3 as the intended use of how the message is applied, and not directed to the structure of the "light guide."

Claim 9 is objected to because of the following informalities: Ending claim 9 with "preferably" is improper.

Claims 5, 6, 11, and 12 lack antecedent basis for "the smooth surface".

Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 1-9 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contain subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. The applicant discloses a "light guide element" including optical fibers disposed therein. Applicant states such structure passes light from one end surface to the other. Additionally, the applicant discloses so-called "light passages" 3, but fails to disclose the structure of such passages or how such passages allow the light to illuminate the message on the side surface.

Claim 4 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The applicant fails to disclose what comprises a so-called "twinkling function" or how such function is made.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

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(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claim 1,2, 5-7, 9, 11, and 12 are rejected under 35 U.S.C. 102(e) as being anticipated by Landers Jr., et al (US Pat 6615520).

As for claim 1, Landers Jr. et al teaches a light guide (figure 3A) comprising a light guide element 335 and a plurality of optical fiber 345 (see col. 5, lines 9-11) disposed inside of a light guide element for forming at least one light passage in between two ends of the light guide element.

As for claim 2, Landers Jr. et al. discloses a "message" 320 put on the light guide element.

As for claims 5, 6, 11, and 12, the intended use limitation as to how the message is applied does not define structures of the "light guide" not found in Landers Jr. et al.

As for claim 7, Landers Jr. et al. discloses the light guide shaped like a round bar (Fig 4C), or a rectangular plate (Fig 3A).

As for claim 9, Landers Jr. et al. discloses wherein the light guide element is made of transparent material (column 4 line 19+) and has a smooth outer surface 305.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Landers Jr. et al. in view of Wang (US Pat 6299372).

Landers Jr. et al. teaches the light guide as discussed above, but fails to teach it further comprising masking the light guide element and then putting a message upon the light guide element. Wang teaches a light guide element comprising masking 22 of the light guide element including a message put upon the light guide element 21, see figures 4 and 5. It would have been obvious for one of ordinary skill in the art at the time of the invention to combine the masking and the message of Wang with the light guide of Landers Jr. et al. in order to provide a means for advertisement or to add entertainment value to the device.

Claims 4 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Landers Jr. et al in view of Fung (US Pat 6236792).

Landers Jr. et al. teaches the light guide as discussed above but lacks a twinkling function. Fung teaches a message for a light guide that further comprises a twinkling function (column 3 lines 1-12). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the twinkling effect of Fung with the light guide of Landers Jr. et al. in order to add entertainment value to the device.

Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Landers Jr. et al. as applied to claim 1 above, and further in view of Fung (US Pat 6236792).

As for claim 8, Landers Jr. et al. teaches the light guide as discussed above but fails to teach a plurality of optical fibers that are molded. Fung teaches wherein a light

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guide element and a plurality of optical fibers that are molded (column 2 line 29+), respectively. It would have been obvious for one of ordinary skill in the art to combine the light guide of Landers Jr. et al. with the molded plurality of optical fibers of Fung because of the increased brightness of the device by having them so close together, as opposed to them being spread out.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Gaydoul (US Pat 6205282) is cited because it is a fiber optic device for illuminating a light permeable information-bearing medium, such as an advertisement sign.

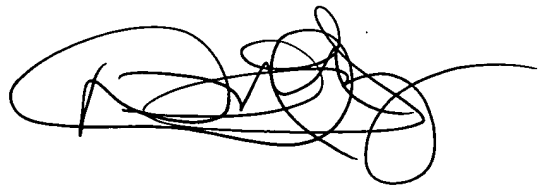
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Evan Dzierzynski whose telephone number is (571)-272-2336. The examiner can normally be reached on Monday through Friday 7:00 am - 3:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Renee Luebke can be reached on Monday-Friday (571)-272-2009. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Evan Dzierzynski
9/2/2005

A handwritten signature in black ink, appearing to read 'David Gray', with a long horizontal line extending to the right.

David Gray
Primary Examiner